

EXHIBIT A

Exhibit A to the Declaration of Olivia Weber

Unredacted Version of document sought to be sealed

From: Tyrene Partlow [tyrene.partlow@broadcom.com]
Sent: 8/16/2018 6:31:02 PM
To: Jennifer Sipes [jsipes@extremenetworks.com]
CC: Simone Yew [simone.yew@broadcom.com]
Subject: RE: SNMP Brocade - TPPS Assignment [IWOV-ACTIVE.FID78413]

Thanks,
Tyrene E. Partlow
Sr. Contracts Manager
Broadcom Legal Department
1320 Ridder Park Dr, San Jose, CA 95131
tyrene.partlow@broadcom.com
T. +1.408.433.2080
C. +1.415.298.9635
F. +1.408.433.6340

C. +1.415.298.9635
F. +1.408.433.6340

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-----Original Message-----

From: Jennifer Sipes <jsipes@extremenetworks.com>
Sent: Monday, August 13, 2018 5:12 PM
To: Tyrene Partlow <tyrene.partlow@broadcom.com>
Subject: RE: SNMP Brocade - Tpps Assignment [IWOV-ACTIVE.FID78413]

Hi Tyrene,
This is from John, outside counsel of SNMP.
Please let me know how we can wrap up.
Is this license still in use at Broadcom, or any of the other purchasing companies?

-----Original Message-----

From: John L. Wood [mailto:JWood@emlaw.com]
Sent: Monday, August 13, 2018 1:20 PM
To: Jennifer Sipes <jsipes@extremenetworks.com>
Subject: RE: SNMP Brocade - Tpps Assignment [IWOV-ACTIVE.FID78413]

Jennifer,

This is the first I have heard about a partial assignment. If the SNMP Research software Brocade had is being used in other products besides the products listed in the transfer amendment we need to understand that. I will be glad to get on the phone with your contact from Brocade.

SNMP Research does not use Microsoft Word to prepare amendments. The document is written in a markup language called latex and the pdf is generated from that. The easiest approach is to write the suggested changes on the document or explain the changes in a separate document.

John L. Wood
Egerton, McAfee, Armistead & Davis, P.C.
1400 Riverview Tower
900 S. Gay Street
Knoxville, Tennessee 37902
Direct (865) 292-2503
Office (865) 546-0500
Fax (865) 525-5293

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-----Original Message-----

From: Jennifer Sipes <jsipes@extremenetworks.com>
Sent: Monday, August 13, 2018 2:49 PM
To: John L. Wood <JWood@emlaw.com>
Subject: FW: SNMP Brocade - Tpps Assignment [IWOV-ACTIVE.FID78413]

John,

I spoke with my contact at Brocade for signature, and she would like a word version.
Also, she believes the assignment should be partial.

Do you have any background on that?

Thanks for your help,
Jennifer

-----Original Message-----

From: John L. Wood [mailto:JWood@emlaw.com]
Sent: Friday, August 10, 2018 11:46 AM
To: Jennifer Sipes <jsipes@extremenetworks.com>; blizzard@snmp.com
Cc: Janet Miller <JaMiller@extremenetworks.com>
Subject: RE: SNMP Brocade - TPPS Assignment [IWOV-ACTIVE.FID78413]

Jennifer,

I have attached the amendment without the highlighting.

John L. Wood
Egerton, McAfee, Armistead & Davis, P.C.
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From: Jennifer Sipes <jsipes@extremenetworks.com>
Sent: Friday, August 10, 2018 2:20 PM
To: John L. Wood <JWood@emlaw.com>; blizzard@snmp.com
Cc: Janet Miller <JaMiller@extremenetworks.com>
Subject: RE: SNMP Brocade - TPPS Assignment [IWOV-ACTIVE.FID78413]

Can you unlock or remove?
I did that for the team, but can't get it removed.

-----Original Message-----

From: John L. Wood [mailto:JWood@emlaw.com]
Sent: Friday, August 10, 2018 11:03 AM
To: Jennifer Sipes <jsipes@extremenetworks.com>; blizzard@snmp.com
Cc: Janet Miller <JaMiller@extremenetworks.com>
Subject: RE: SNMP Brocade - TPPS Assignment [IWOV-ACTIVE.FID78413]

Yes, that is all we need executed. We will also need payment for the SSA. I noticed that the amendment you attached has some highlighting in it that should be removed before executing.

Thanks,

John L. Wood
Egerton, McAfee, Armistead & Davis, P.C.

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-----Original Message-----

From: Jennifer Sipes <jsipes@extremenetworks.com>
Sent: Friday, August 10, 2018 1:56 PM
To: blizzard@snmp.com
Cc: John L. Wood <JWood@emlaw.com>; Janet Miller <JaMiller@extremenetworks.com>
Subject: FW: SNMP Brocade - TPPS Assignment [IWOV-ACTIVE.FID78413]

So, once you have the attached executed, we will be good to go.

Correct?

Sorry for the multiple queries, I'm just the messenger at this point.

-----Original Message-----

From: Steve Blizzard [mailto:blizzard@snmp.com]
Sent: Friday, August 10, 2018 7:07 AM
To: Jennifer Sipes <jsipes@extremenetworks.com>
Cc: John L. Wood <JWood@emlaw.com>; Janet Miller <JaMiller@extremenetworks.com>; sales@snmp.com
Subject: RE: SNMP Brocade - TPPS Assignment [IWOV-ACTIVE.FID78413]

Hi Jennifer,

Yes, the license transfer will be perpetual and will cover the versions that have already been delivered to Brocade.

The SSA provides support services for all versions. When the license transfer is complete and the SSA has been paid, we will ship the latest version to Extreme.

Thanks,

Steve

Steve Blizzard email: blizzard@snmp.com
SNMP Research voice: +1 865 579-3311
3001 Kimberlin Heights Road fax: +1 865 579-6565
Knoxville, TN 37920-9716 USA

<https://na01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.snmp.com&data=01%7C01%7Cjwood%40emlaw.com%7Cb5486724e8474d848e4908d6014d8d03%7C48f8e811e78146a1bddd1a2618042dc%7C1&data=kf3DGL9Ff1%2F2qoRg1bsjNUHCQ7j604eInic9e1WZTE%3D&reserved=0>

Is your network completely secure? Are you sure?
Ask me about our new Security Analyzer product that can
search and analyze your network agents to find the answers.

On Thu, 9 Aug 2018, Jennifer Sipes wrote:

> To confirm, this license will cover the current version, correct?
> I forwarded the SSA and quote to team.
> Thanks
>
> -----Original Message-----
> From: John L. Wood [mailto:JWood@emlaw.com]
> Sent: Thursday, August 9, 2018 11:51 AM
> To: Jennifer Sipes <jsipes@extremenetworks.com>
> Cc: Janet Miller <JaMiller@extremenetworks.com>; blizzard@snmp.com
> Subject: RE: SNMP Brocade - TPPS Assignment [IWOV-ACTIVE.FID78413]
>
> Jennifer,
>
> I have attached the SSA agreement and the invoice. We need the signed
> transfer amendment for the SSA to be valid.
>
> Thanks,
>
> John L. Wood
> Egerton, McAfee, Armistead & Davis, P.C.
> 1400 Riverview Tower
> 900 S. Gay Street
> Knoxville, Tennessee 37902
> Direct (865) 292-2503
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> or (ii) promoting, marketing or recommending to another party any
> transaction or matter addressed herein.
>
> -----Original Message-----
> From: Jennifer Sipes <jsipes@extremenetworks.com>
> Sent: Friday, August 03, 2018 2:22 PM
> To: John L. Wood <JWood@emlaw.com>
> Cc: Janet Miller <JaMiller@extremenetworks.com>
> Subject: RE: SNMP Brocade - TPPS Assignment [IWOV-ACTIVE.FID78413]
>
> Hi John,
> Will you send me what I need to purchase the SSA, so I can forward to
> business owners?
> Thanks
>
> -----Original Message-----
> From: John L. Wood [mailto:JWood@emlaw.com]
> Sent: Tuesday, July 24, 2018 2:37 PM
> To: Jennifer Sipes <jsipes@extremenetworks.com>
> Cc: Janet Miller <JaMiller@extremenetworks.com>
> Subject: RE: SNMP Brocade - TPPS Assignment [IWOV-ACTIVE.FID78413]
>
> Jennifer,
>
> Please respond and let us know if Extreme still intends to obtain a
> license for the SNMP Research software it obtained. As I am sure you
> can understand, it is important to my client that Extreme not use the
> software without a license.
>

> John L. Wood
> Egerton, McAfee, Armistead & Davis, P.C.
> 1400 Riverview Tower
> 900 S. Gay Street
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> Direct (865) 292-2503
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> or (ii) promoting, marketing or recommending to another party any
> transaction or matter addressed herein.
>
> -----Original Message-----
> From: John L. Wood
> Sent: Wednesday, June 27, 2018 4:43 PM
> To: 'Jennifer Sipes' <jsipes@extremenetworks.com>
> Cc: 'Janet Miller' <JaMiller@extremenetworks.com>
> Subject: RE: SNMP Brocade - Tpps Assignment [IWOV-ACTIVE.FID78413]
>
> Jennifer,
>
> Any progress on reviewing the transfer amendment?
>
> John L. Wood
> Egerton, McAfee, Armistead & Davis, P.C.
> 1400 Riverview Tower
> 900 S. Gay Street
> Knoxville, Tennessee 37902
> Direct (865) 292-2503
> Office (865) 546-0500
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> or (ii) promoting, marketing or recommending to another party any
> transaction or matter addressed herein.
>
> -----Original Message-----
> From: John L. Wood <JWood@emlaw.com>
> Sent: Friday, June 01, 2018 4:17 PM

> To: Jennifer Sipes <jsipes@extremenetworks.com>
> Cc: Janet Miller <JaMiller@extremenetworks.com>
> Subject: RE: SNMP Brocade - TPPS Assignment [IWOV-ACTIVE.FID78413]
>
> Jennifer,
>
> You are missing amendments 4 and 5, which I have attached to this email.
>
> The reason to include the representation regarding software received
> from Avaya in this amendment is to make sure Extreme searches the
> software received from Avaya. SNMP Research needs to make sure all of
> its software is licensed. I will be glad to discuss this with you on
> the phone if that would be easier.
>
> SNMP Research is asking that Extreme enter into a software service
> agreement, which will be similar to the software service agreement you
> included with the documents, and pay the service fee every year. The
> only license agreement is the Brocade license as amended, which you have.
>
> John L. Wood
> Egerton, McAfee, Armistead & Davis, P.C.
> 1400 Riverview Tower
> 900 S. Gay Street
> Knoxville, Tennessee 37902
> Direct (865) 292-2503
> Office (865) 546-0500
> Fax (865) 525-5293
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> purpose of (i) avoiding penalties that may be imposed on any taxpayer
> or (ii) promoting, marketing or recommending to another party any
> transaction or matter addressed herein.
>
> -----Original Message-----
> From: Jennifer Sipes <jsipes@extremenetworks.com>
> Sent: Friday, June 01, 2018 10:39 AM
> To: John L. Wood <JWood@emlaw.com>
> Cc: Janet Miller <JaMiller@extremenetworks.com>
> Subject: SNMP Brocade - TPPS Assignment
>
> Hi John,
>
> Sorry for the delay. We are incredibly understaffed.
>
> I have attached the document portfolio for reference purposes. Please
> confirm that it matches yours.
>
> As I need to follow up with product management, will you please
> provide me info as to the following:
>
> 1. What does the Avaya purchase have to do with this assignment?
>
> 2. Basically, SNMP is agreeable to the assignment, but we would have
> to pay an annual license fee, is that correct? Is there a separate
> license agreement under which this license is to be paid? In the
> attached zip file?
>
> Thanks for your patience.
> Jennifer
>

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>
> .I also wanted to see if you had found out anything about the software
> transferred from Avaya. This agreement has a representation that
> Extreme did not find any SNMP Research software in the software
> transferred from Avaya. Let us know if that representation is not
> correct -----Original Message-----
> From: John L. Wood [mailto:JWood@emlaw.com]
> Sent: Thursday, May 10, 2018 8:00 AM
> To: Jennifer Sipes <jsipes@extremenetworks.com>
> Cc: blizzard@snmp.com
> Subject: RE: Sipes email
>
> Jennifer,
>
> The transfer amendment for Extreme is attached. I called yesterday to
> discuss a few things before sending the agreement, but I will just put
> them in this email. It may make sense for us to discuss this
> agreement next week. It is unusual for SNMP Research to agree to
> transfer a royalty buyout for no charge. The compromise is that the
> license is transferred only for the products listed below and Extreme
> has to agree to pay yearly on a service agreement. I also wanted to
> see if you had found out anything about the software transferred from
> Avaya. This agreement has a representation that Extreme did not find
> any SNMP Research software in the software transferred from Avaya.
> Let us know if that representation is not correct.
>
> I am available next week to discuss any of these issues at your
> convenience.
>
> Thanks,
>
> John L. Wood
> Egerton, McAfee, Armistead & Davis, P.C.
> 900 S. Gay Street, Suite 1400 Knoxville, TN 37902
> Office: (865) 292-2503 | Fax: (865) 525-5293 Website | Map | Bio |
> Vcard Download| jlw@emlaw.com
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> Thank you.
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> recommending to another party any transaction or matter addressed herein.
>
>
>
> -----Original Message-----
> From: Jennifer Sipes [mailto:jsipes@extremenetworks.com]
> Sent: Monday, April 23, 2018 1:40 PM
> To: John L. Wood <JWood@emlaw.com>
> Cc: blizzard@snmp.com
> Subject: RE: Sipes email
>
>

> Hi John,
> Thank you for your time last week.
> As discussed, below is a Brocade product list with SNMP Research software.
> As also discussed, I very much understand the need to limit the scope
> of assignment, so however you would like to set that up should work.
>
> Thanks, again!
>
> Jennifer
>
> • Brocade VDX 8770 Series
> • Brocade VDX 6710 Series
> • Brocade VDX 6720 Series
> • Brocade VDX 6730 Series
> • Brocade VDX 6740 Series
> • Brocade VDX 6940 Series
> • Brocade SLX 9850 Series
> • Brocade SLX 9540 Series
> • Brocade SLX 9140 Series
> • Brocade SLX 9240 Series
>
> Jennifer L. Sipes
> Director, Associate General Counsel | Extreme Networks
> jsipes@extremenetworks.com Office | 408-579-3355
>
>
> ExtremeNetworks.com
>
>
>
> -----Original Message-----
> From: John L. Wood [mailto:JWood@emlaw.com]
> Sent: Wednesday, April 18, 2018 1:56 PM
> To: Jennifer Sipes <jsipes@extremenetworks.com>
> Cc: blizzard@snmp.com
> Subject: FW: Sipes email
>
> Jennifer,
>
> I am counsel for SNMP Research and I did respond to your assignment
> notice shortly after you sent it in September. I have attached that
> correspondence. The license between Brocade and SNMP Research is not
> assignable without SNMP Research's consent and SNMP Research has not
> provided that consent. If Extreme is using or distributing SNMP
> Research software it obtained from Brocade then it is doing so without a
> license.
> I would be glad to have a call at your earliest convenience to
> understand how Extreme is using the SNMP Research software so I can
> discuss an assignment with my client. Let me know when you are available.
>
>
> John L. Wood
> Egerton, McAfee, Armistead & Davis, P.C.
> 900 S. Gay Street, Suite 1400 Knoxville, TN 37902
> Office: (865) 292-2503 | Fax: (865) 525-5293 Website | Map | Bio |
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> recommending to another party any transaction or matter addressed herein.
>
>
>
> -----Original Message-----
> From: Steve Blizzard [mailto:blizzard@snmp.com]
> Sent: Monday, April 16, 2018 5:09 PM
> To: John L. Wood <JWood@emlaw.com>
> Subject: Sipes email
>
>
> Date: Mon, 16 Apr 2018 19:29:14 +0000
> From: Jennifer Sipes <jsipes@extremenetworks.com>
> To: "blizzard@snmp.com" <blizzard@snmp.com>
> Subject: FW: Brocade Assignment to Extreme Networks, Inc.
> Parts/Attachments:
> 1.1.1 OK ~50 lines Text (charset: WINDOWS-1252)
> 1.1.2 Shown ~161 lines Text (charset: WINDOWS-1252)
> 1.2 OK 13 KB Image, "image001.png"
> 2 3.4 MB Application, "14.3.9.3.25-SNMP Assignment
> Conse
> -----
>
>
> Hi Steve,
>
>
>
> I hope you are the appropriate contact for this matter.
>
> As you may know, Extreme recently purchased Brocade's Data Center
> business. The transaction closed on October 27, 2017.
>
> In connection with, and prior to the acquisition, you were forwarded
> the attached assignment notice in September 2017. Unfortunately, we
> have not heard back from you, to date. In order for Extreme to be
> assured of your understanding of the current arrangement, would you
> please take a moment and sign the attached?
>
> Please note that subsequent to the date of that notice, the parties to
> the transaction amended their arrangement, so that Extreme directly
> purchased the Data Center business from Brocade. This change does not
> affect the assignment of your agreement(s) with Brocade, however, so
> we are asking you to sign the original notice with this understanding.
>
> Please, also, feel free to call me with any questions or concerns
> regarding the assignment or the transaction. We do want to ensure our
> continued mutual success.
>
>
>
> Many thanks,
>
> Jennifer
>
>
> Jennifer L. Sipes
>
> Director, Associate General Counsel| Extreme Networks
>
> jsipes@extremenetworks.com
>
> office | 408-579-3355
>
>
>
> https://na01.safelinks.protection.outlook.com/?url=https%3A%2F%2Ftheso
> urce.extremenetworks.com%2Fdepts%2Fmarketing%2Fbrand%2Fdocuments%2F201
> 6%25&data=01%7C01%7Cjwood%40emlaw.com%7C34745252047b4f8a723008d5a3de48
> 6d%7C48f8e811e78146a1bddd1a2618042dc%7C1&sdata=cuakMFUYMnSrGbhK1l0x7K
> cAVcDmJZKw8uMU8etBTZo%3D&reserved=0
> 20Logo%20Files/Extreme-Networks-RGB.png
>
> ExtremeNetworks.com
> [https://na01.safelinks.protection.outlook.com/?url=www.extremenetwork
> s.com&data=01%7C01%7Cjwood%40emlaw.com%7C34745252047b4f8a723008d5a3de4

> 86d%7C48f8e811e78146a1bddd1a2618042dc%7C1&sdata=nCS%2F5TKLa3mjw%2FESA
> U%2B86IPvz18y%2Bhx10A9U6df4o1M%3D&reserved=0]

> -----
> Steve Blizzard email: blizzard@snmp.com
> SNMP Research voice: +1 865 579-3311
> 3001 Kimberlin Heights Road fax: +1 865 579-6565
> Knoxville, TN 37920-9716 USA
> https://na01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.sn
> mp.com&data=01%7C01%7Cjwood%40emlaw.com%7Cb5486724e8474d848e4908d6
> 014d8d03%7C48f8e811e78146a1bddd1a2618042dc%7C1&sdata=kf3DGL9Ff1%
> 2F2qoRg1bsjNuhCQ7j6o4eINic9e1WZTE%3D&reserved=0
> -----

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> Block the Intruders with Encryption and Authentication
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